

1 RPM MORTGAGE, INC.,
2 Plaintiff,
3
4 v.
5
6 SUNTRUST MORTGAGE, INC., et al.,
7 Defendants.

8 Case No. [15-cv-03380-MEJ](#)
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11 **ORDER TO SHOW CAUSE**

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13 Plaintiff RPM Mortgage, Inc. (“RPM”) brings a Complaint for Declaratory Relief against
14 Defendant SunTrust Mortgage, Inc. (“SunTrust”), seeking a judicial determination that it has no
15 obligation to indemnify SunTrust for its losses relating to loans underwritten by NL, Inc. After
16 SunTrust moved to dismiss for forum non conveniens or transfer venue, the Court denied
17 SunTrust’s Motion without prejudice, finding a more developed record regarding the nature of NL
18 and RPM’s relationship would help reveal whether transfer is appropriate. Dkt. No. 18. The
19 Court directed the parties to engage in limited discovery regarding NL and RPM’s relationship, to
20 be completed by October 15, 2015, and provide a discovery status report as part of their joint case
21 management statement. *Id.*

22 As the parties did not file a joint statement by October 15, the Court vacated the October
23 22, 2015 Case Management Conference and ordered the parties to file a joint status report by
24 October 27, 2015. Dkt. No. 19. No response has been received. Accordingly, the Court hereby
25 ORDERS Plaintiff RPM Mortgage, Inc. to show cause why this case should not be dismissed for
26 failure to prosecute and failure to comply with court deadlines. RPM shall e-file a declaration by
27 November 4, 2015 (no chambers copy is required). If a responsive declaration is filed, the Court
28 shall either issue an order based on the declaration or conduct a hearing on November 12, 2015 at

1 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.
2 Notice is hereby provided to RPM that the Court may dismiss this case without a hearing if no
3 responsive declaration is filed. Thus, it is imperative that the Court receive a written response by
4 the deadline above.

5 **IT IS SO ORDERED.**
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7 Dated: October 29, 2015



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9 MARIA-ELENA JAMES
United States Magistrate Judge
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